

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 2006-236-T and 2013-337-T - ORDER NO. 2014-123

JANUARY 28, 2014

| | | |
|---|---|------------------|
| IN RE: Docket No. 2006-236-T – Application of |) | ORDER RESCINDING |
| Daniel Odumodu d/b/a A-Class Ride |) | CANCELLATION OF |
| Provider (f/k/a Daniel Odumodu d/b/a Ride |) | CERTIFICATE AND |
| Provider) for a Class C (Charter) Certificate |) | REINSTATING |
| of Public Convenience and Necessity for |) | SUSPENSION |
| Operation of Motor Vehicle Carrier |) | |
| |) | |
| and |) | |
| |) | |
| Docket No. 2013-337-T – Petition of the |) | |
| Office of Regulatory Staff for Commission to |) | |
| Order a Rule to Show Cause as to Why the |) | |
| Certificates of Public Convenience and |) | |
| Necessity for Certain Motor Carriers Should |) | |
| Not Be Revoked for Non-Payment of Decal |) | |
| Fees |) | |

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the motion of the Commission Staff to rescind the cancellation of Class C Charter Certificate No. 7735-A assigned to Daniel Odumodu d/b/a A-Class Ride Provider (“Odumodu”) and to reinstate the suspension of such Certificate. Odumodu is authorized to operate under Class C Charter Certificate of Public Convenience and Necessity No. 7735-A pursuant to Commission Order Nos. 2006-506 and 2007-443 issued in Docket No. 2006-236-T.

On September 10, 2013, a Petition for a Rule to Show Cause¹ was filed by the South Carolina Office of Regulatory Staff (“ORS”) as to why the Certificates of Public Convenience and Necessity of certain carriers should not be revoked for failure to pay decal fees and thereby failing to comply with the statutes governing operations of Motor Vehicle Carriers in South Carolina. The record reflects that Odumodu was listed in and served with the Rule to Show Cause for noncompliance.

For those motor carriers who had not responded to the prior notifications of noncompliance, a formal hearing regarding this matter was held on December 4, 2013. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers, including Odumodu, should be revoked and cancelled for the violation of failing to pay decal fees. Accordingly, the Commission issued Order No. 2014-13, which cancelled Odumodu’s Certificate No. 7735-A. However, following the issuance of Order No. 2014-13, the Commission discovered that Odumodu’s Certificate was mistakenly included in ORS’s Rule to Show Cause Petition (Docket No. 2013-337-T). The record of Docket No. 2006-236-T confirms that a suspension of Certificate No. 7735-A was in effect at the time of the cancellation and remains effective until July 1, 2014. See Order No. 2013-264 issued April 24, 2013. Consequently, the Certificate of Odumodu should not have been cancelled.

Upon consideration of this matter, the Commission concludes that cancellation of the above-mentioned Certificate should be rescinded, and the suspension should be reinstated.

¹ See Docket No. 2013-337-T.

IT IS THEREFORE ORDERED:

1. That the cancellation of Class C Charter Certificate of Public Convenience and Necessity No. 7735-A of Daniel Odumodu d/b/a A-Class Ride Provider be, and hereby is, rescinded.

2. That the suspension of Class C Charter Certificate of Public Convenience and Necessity No. 7735-A of Daniel Odumodu d/b/a A-Class Ride Provider be, and hereby is, reinstated.

3. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



Nikiya Hall, Vice Chairman

(SEAL)